

UNITED STATES DISTRICT COURT  
Northern District of California

LENDER FINANCIAL GROUP, LLC,

Plaintiff,

v.

JISSEL PALOMARES and JOSE GARCIA,

Defendants.

No. C 10-1612 MEJ

**ORDER TO SHOW CAUSE**

**ORDER VACATING HEARING RE:  
MOTION TO REMAND (DKT #11)**

On April 15, 2010, Defendants Jissel Palomares and Jose Garcia removed the above-captioned matter from the San Joaquin Superior Court, based on diversity jurisdiction under 28 U.S.C. §1332. (Dkt. #1.) However, in their Notice of Removal, both defendants state that they reside in California. (Dkt. #1 2:22-28.) As Plaintiff Lender Financial Group, LLC is also a resident of California, (Compl. ¶1, Ex. A, Dkt. #1), there appears to be no basis for diversity jurisdiction. Accordingly, the Court hereby ORDERS Defendants Jissel Palomares and Jose Garcia to show cause why this case should not be remanded to the San Joaquin Superior Court for lack of jurisdiction. Defendants shall file a declaration by May 20, 2010, and the Court shall conduct a hearing on May 27, 2010 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. The hearing on Plaintiff's Motion to Remand is VACATED. (Dkt. #11.)

**IT IS SO ORDERED.**

Dated: May 4, 2010

  
\_\_\_\_\_  
Maria-Elena James  
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

LENDER FINANCIAL GROUP,

Case Number: CV10-01612 MEJ

Plaintiff,

**CERTIFICATE OF SERVICE**

v.

JISSEL PALOMARES et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 4, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jissel Palomares  
237 Kearny Street, #191  
San Francisco, CA 94108

Jose Garcia  
3344 Zaccaria Way  
Stockton, CA 95212

Dated: May 4, 2010

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy Clerk